

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: OKAMURA=2E

In re Application of:	)	Art Unit: 1646
	)	
Haruki OKAMURA et al	)	Examiner: Dong Jiang
	)	
Appln. No.: 09/373,230	)	Washington, D.C.
	)	
Filed date: August 12, 1999	)	Confirmation No. 2359
	)	
For: IFN-GAMMA PRODUCTION	)	October 14, 2009
INDUCING PROTEIN AND...	)	

**TERMINAL DISCLAIMER**

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

KABUSHIKI KAISHA HAYASHIBARA SEIBUTSU KAGAKU

KENKYUJO, a corporation of the Country of Japan, having a principal place of business at 2-3, 1-chome, Shimoishii, Okayama-shi, Okayama, Japan, (hereinafter referred to as "Assignee"), is the owner of 100% of the entire right, title and interest in the above-identified application and any patent to be granted thereon. Assignee, through its undersigned agent of record, hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,476,197, plus any extension thereof which may be subsequently granted, and hereby agrees that any patent

so granted on the above-identified application shall be enforceable only for and during such period that said patent is commonly owned with United States Patent No. 6,476,197, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns. Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No. 6,476,197 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(1), has all claims cancelled by reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above. This terminal disclaimer is being made without waiver of petitioner's rights under 35 U.S.C. §156, or elsewhere, which may be available to extend the term of any patent granted on the above-identified application beyond the date set by this terminal disclaimer (37 C.F.R. §1.775(a)).

It is Assignee's intent that the amount of time disclaimed and the scope of the common ownership clause be the minimum required by law and this document is to be construed to effectuate said intent. No admission is made that any claim of

In re of Appln. No. 09/373,230

the above-identified application is obvious over any claim of  
Patent No. 6,476,197.

The statutory disclaimer fee of \$140.00 is attached.

Respectfully submitted,

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